CMPMO No.232 of 2007.

11.10.2007. Present: M/s Bhuvnesh Sharma and Ramakant Sharma, Advocates, for the petitioner.

Mr. Rakesh Jaswal, Advocate, for respondent No.1.

After hearing Mr. Bhuvnesh Sharma, learned counsel appearing for the petitioner and Mr. Jaswal, learned counsel appearing for respondent No.1 and on perusal of the impugned order dated 29th September, 2007 passed by the learned District Judge, Bilaspur, what emerges is that by means of the impugned order, the learned Court below has granted ex-parte ad interim injunction and while granting such an injunction, the petitioner in its capacity as the respondent in the Court below has been directed to show cause as to why the ex-parte ad interim order be not confirmed.

The petitioner of course in para (16) of the petition has indicated the reason as to why it had to approach this Court directly. The reason is that the Presiding Officer of the learned Court below is not available uptil 23rd October, 2007.

After hearing the learned counsel for the parties, I dispose of this petition and issue hereinbelow mentioned directions:-

1. The written statement and the reply to the temporary injunction application shall be prepared and made ready by the petitioner herein in four days from today. Advance copies

thereof shall be given to Mr. Jaswal during the same period, who may file the replication/rejoinder thereto, if any, in three days thereafter with advance copies in the same period to Mr. Bhuvnesh Sharma.

2. The matter shall be listed before the learned Court below on 23rd October, 2007. On that day, based upon the aforesaid pleadings in the suit as well as the temporary injunction application, the learned Court below shall proceed to dispose of the temporary injunction application itself finally. If for any reason, the said application cannot be disposed of on 23rd October, 2007, it shall be taken up on the next day and likewise day after etc. till its disposal. In any event, the matter shall be taken up on every day until the temporary injunction application is finally disposed of.

The petition is disposed of.

CMP No.848 of 2007.

In view of the disposal of the main petition, this application shall also stand disposed of.

11th October, 2007. **(V.K. Gupta), C.J.**
(tr)